

LONG BEACH CITY COUNCIL MEETING

FEBRUARY 15, 2006

CALL TO ORDER

Mayor Ramsey called the meeting to order at 7:04 p.m. and asked for roll call.

ROLL CALL

Robert Strope, City Administrator, called roll with Mayor Ramsey, C. Cook, C. Ahern, C. Moore, C. Zuern and C. Phillips.

Robert Strope, City Administrator, advised of the added AB 06-23 under business.

CONTINUED PUBLIC HEARING

AB 06-08 Vacation of a portion of 9th Street South West

Ordinance 807, which adopts Findings of Fact pursuant to RCW35.79.020 and Unified Development Ordinance Chapter 15.94.060(3) to vacate the westerly portion of 9th Street Southwest pending an appraisal and subsequent payment to the City for the fair market value of the vacated land. Adoption of this Ordinance requires a public hearing, scheduled for February 15, 2006. John Schelling, Community Development Director, advised this item was tabled for further research by staff at the February 1, 2006 meeting. John Schelling presented Ordinance 807 with the addition of Findings of Fact numbered 10 & 11. Mayor Ramsey reopened the public hearing and asked for comments and being none closed the public hearing. **C. Moore made the motion to adopt Ordinance 807 with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

CONSENT AGENDA

Payment Approval List for Warrant Registers 51967-52037 in the amount of \$60,766.19
Payroll Report for Pay Period Ending January 31, 2006 in the amount of \$71,227.63
C. Zuern made the motion to approve the consent agenda with C. Ahern seconding the motion. 5 Ayes 0 Nays, motion passed.

BUSINESS

AB 06-23 Emergency Declaration Dohman Impoundment

Robert Strope, City Administrator, presented Resolution 2006-4 declaring an emergency. The City Engineer is developing an estimate for repairs. We have made initial contact with multiple State and Federal agencies regarding funding sources to make the repairs. We have notified the appropriate agencies with jurisdiction over dam safety and will work closely with them as we move forward. Our alternate raw water source and storage are adequate for our immediate needs, and we project completion of the repairs before our tourist population creates demand beyond those sources. We also have the agreement with Ilwaco to provide water should it become necessary. Using our alternate source will require additional operational costs as Dohman's water requires less treatment. **C. Phillips made the motion to adopt Resolution 2006-4 with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-13 Fire Department Equipment Bid Authorization

David Glasson, Finance Director, reported the fire department needs to replace an aging SCBA compressor and add a fill station. A grant from the Templin Foundation has awarded the fire department \$29,067 to pay for the majority of the expense. This agenda bill is to authorize the fire department to accept bids on provided bid specs and results will be presented at the next council meeting. **C. Zuern made the motion to authorize the Fire Department to accept bids with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-14 Surplus Equipment

David Glasson, Finance Director, presented the agenda bill explaining the city has some vehicles that the staff feels are beyond their useful life without incurring costly repairs. The City Council reviewed the list of surplus items and David Glasson provided a detailed description of the current condition of each. The staff recommended the Council declare the items on the list excess and to take the required steps to dispose of the surplus items. **C. Cook made the motion to approve AB 06-14 with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-15 Fee Structure for zoning code appeals

John Schelling, Community Development Director, stated Section 14.05.01 of Zoning Ordinance 797a requires that a fee accompany appeals of decisions of the Administrator to the Hearing examiner. The attached Resolution 2006-2 establishes the required fee structure for appeals of decisions of the Administrator in writing by the affected party within ten (10) business days to the Hearing Examiner in accordance with Section 14.05.01 of Ordinance 797a. C. Moore felt that if the party won the appeal then the \$400 fee should be returned. Following a short discussion Robert Strope recommended the Council table the issue to allow for additional research into the matter. **C. Phillips made the motion to table this agenda bill until the next meeting with C. Moore seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-16 Adult Fee Structure Resolution 2006-3

John Schelling, Community Development Director, reported Title 5, Section 5.06.100 of the Long Beach Municipal Code requires that a fee structure be adopted by Resolution, setting the fees for the various types of adult use licenses outlined in Ordinance 805. The Community Development Department, in conjunction with the Long Beach Police Department, developed the fee structure to defray the cost associated with the required investigation including fingerprinting, criminal background checks, verification of all information included on the application, and site inspection and analysis, and life safety issues. **C. Phillips made the motion to adopt AB 06-16 and Resolution 2006-3 with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-17 Ratification of Sexually Oriented Business Zoning Regulation –
Ordinance 800

John Schelling, Community Development Director, presented the agenda bill. On November 16, 2005, the City Council conducted a regular meeting and voted unanimously to adopt Ordinance 800 regulating and limiting the location of adult use and sexually oriented businesses with the stipulation that staff provide clear and concise language in Ordinance 800 and on the map as to where adult use and sexually oriented businesses may locate. The Ordinance was revised to reflect the direction from the City Council and distributed to the required state agencies for the mandatory sixty (60) day State agency review period. The 60-day review period expired on February 10, 2006 and no comments were received from the state agencies. **C. Moore made the motion to approve AB 06-17 ratifying Ordinance 800 with C. Ahern seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-18 Continuing Moratorium on Accepting Applications for Adult Use
Business Licenses

On August 17, 2005, the City Council adopted Ordinance 804, which continued the moratorium on accepting applications for adult use business licenses. That moratorium is in effect until midnight on February 17, 2006. The City Council unanimously voted to adopt Ordinance 800 at their November 16, 2005 meeting with the stipulation that the staff clarify the locations adult use businesses could locate and send Ordinance 800 to the required state agencies for the mandatory sixty (60) day review. Staff recommended Ratification of Ordinance 800 on February 15, 2006; however, the Ordinance will not become effective until five (5) days after publication in the newspaper of record.

Ordinance 808 is extending the moratorium for fourteen (14) days to provide for Ordinance 800 to have an effective date. **C. Cook made the motion to approve AB 06-18 adopting Ordinance 808 with C. Ahern seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-19 Council – Staff Retreat

David Glasson, Finance Director, advised the Retreat would be held at the Astoria Country Club, February 25, 2006 and provided the agenda and the scope of work. **C. Phillips made the motion approve the agenda and scope of work with C. Cook seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-20 Police Policy – Preventing Biased Policing and Perceptions of Biased Policing

Chief Wright explained that the addition of Chapter 40 to the police manual is necessary to bring it into compliance. **C. Cook made the motion to approve the policy with C. Zuern seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-21 Municipal Court Judicial Appointment for 2006

Mayor Ramsey asked that the council approve the appointment of Judge Penoyar through December 31, 2009. **C. Zuern made the motion to approve the appointment with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.**

AB 06-22 Fireworks Stands for the 4th of July

Brenda Hiatt, Red Cross Volunteer has requested a fireworks stand for the 4th of July. The Staff recommends the stand be located on the Bolstad approach in the S-4 zone. Although we have not received a request from the Lions Club, we anticipate they will also request approval and would ask the Council expand the decision to include the Lions Club Fireworks Stand. Staff also is seeking a limit of three stands without further Council action, if additional request are submitted the Staff will seek additional action from the City Council. C. Ahern asked if there was a law that explains when the fireworks could be shot and felt the laws should be posted on the stands Chief Wright explained there was a state law. **C. Zuern made the motion to approve AB 06-22 with the condition that the dates fireworks can be used are posted at each stand, with C. Moore seconding the motion. 5 Ayes 0 Nays, motion passed.**

REPORTS

Robert Strobe, City Administrator, gave an update on the reconstruction of the arch. A detailed estimated from a contractor has been received and it is now with the insurance company. He asked the council if they would like him to proceed with having the arch constructed wider and taller. The Council was open to making the change and Robert indicated he would explore the options and bring a recommendation back to the City Council at a later date.

Mayor and City Council

C. Cook commented on the cases and calls the Long Beach Police department have handled for the month of January. C. Cook also commented on the exceptionally well kept bathrooms we have in the city compared to other cities. C. Ahern reported on the Skateboard Ordinance Update and commented on signage and bike lanes. She also felt that another skateboard park was needed for the younger skaters which started a very lengthy discussion. She also gave a report on the Visitor Bureau meeting. C. Phillips is grateful for the staff reports and attended some volunteer meetings for up coming events. Mayor Ramsey is looking forward to the retreat. Chief Wright explained that a mobile command vehicle has been purchased through a Homeland Security grant.

Staff Report for February 2006
Business License – CableCom, LLC

Business License – TimeLines
Beachdog.com monthly reports
Boys & Girls Club Correspondence
Long Beach Police Activity Report for January 2006
Pacific Avenue Speed Limit Correspondence
World Kite Museum Correspondence
Templin Foundation Correspondence

PUBLIC COMMENT

Milt Wadler asked about looking into a library in the former Kite Museum building and offered his help.

ADJOURNMENT

C. Zuern made the motion to adjourn at 8:23 p.m. with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.

Mayor

ATTEST:

City Clerk